



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA

Street Closing Report



Meeting Date: January 7, 2013

Reference Name	Street Closing – 1,458 linear feet of Arrington Park Drive (SC1200001)	Jurisdiction	City
Request	To conduct a public hearing to consider the permanent closing of 1,458 linear feet of Arrington Park Drive and to permanently close the right-of-way.		
Applicant	Arrington, LLC	Submittal Date	June 21, 2012
Location	East of Page Road and north of Interstate 40. The portion of right-of-way to be closed includes the eastern portion of Arrington Park Drive, between Landon Drive and Comstock Road.		
Recommendation	Approve permanent closing of the public right-of-way.		

A. Summary

This is a request to permanently close a 1,458 linear foot segment of Arrington Park Drive (See Attachment 1, Context Map). The right-of-way is currently unopened. It was dedicated in 2001, as part of a proposed office project that was never developed. On January 3, 2011, the City Council approved a new development plan for the Arrington II mixed use development (Case Z0900015). The approved development plan included the closure of this segment of Arrington Park Drive. The distribution of the proposed right-of-way closing will go to the adjacent property owner, which is the applicant.

B. Area Characteristics

The area surrounding the right-of-way is zoned Mixed Use with a development plan (MU(D)) and is in the Suburban Tier. The portion of the Arrington Park Drive right-of-way to be closed is located between Langdon Drive and Comstock Road. The area is currently undeveloped, but is proposed to be developed for multi-family residential.

Adjacent Land Uses and Zoning			
	Uses	Zoning Districts	Overlay Districts
North	Vacant	MU(D)	None
South	Vacant	MU(D)	None
East	Vacant	MU(D) and RR	None
West	Vacant	MU(D)	None

C. Statutory Requirements

North Carolina Statute 160A-299 requires that the Governing Body make two findings prior to closing any street or alley. These are:

- 1) Closing the street or alley is not contrary to the public interest; and
- 2) No individual owning property in the vicinity of the street or alley or in which it is located would be deprived of reasonable means of ingress or egress to that property.

D. Code Requirements

Section 13.5.1 Access, of the Unified Development Ordinance requires that every buildable lot have access to a public or private street that is designed, constructed and maintained to the appropriate standards.

E. Service Impacts

This request was submitted to service agencies for review and comment. Their comments are shown below:

Service Agency Comments		
Service Agency	Comments	How Addressed
NCDOT	No response	n/a
County - Engineering	No response	n/a
County - Fire Marshall	No impact	n/a
Durham County Sherriff	No impact	n/a
Emergency Medical Services	No impact	n/a
911	No impact	n/a
Durham Public Schools	No impact	n/a
City - Transportation	No impact	n/a
City - Engineering	No impact	n/a
City - Fire Department	No impact	n/a
City – Parks and Recreation	No impact	n/a
City – Solid Waste	No impact	n/a
City – Inspections	No impact	n/a
City – General Services	No impact	n/a
Police Department	No response	n/a
Duke Energy	No response	n/a
PSNC	No impact	n/a
Frontier	No impact	n/a
USPS Postmaster	No response	n/a
Tax Assessor Office	No response	n/a
Address Coordinator, GIS	No response	n/a

F. Staff Analysis

The area adjacent to the right-of-way is zoned MU(D) and RR and in the Suburban Tier.

The proposed street closing plat (Attachment 3, Final Plat Reduction) indicates that entire right-of-way will be recombined with five existing adjacent parcels to create one new parcel.

G. Recommendation

Approve the permanent closing of 1,458 linear feet of public right-of-way.

H. Staff Contact

Jeffrey Burdick, Planner, 560-4137 ext. 28257 jeffrey.burdick@durhamnc.gov.

I. Attachments

1. Context Map
2. Aerial Map
3. Final Plat Reduction
4. Street Closing Application
5. Street Closing Order